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8 BEFORE THE DIVISION OF MEDICAL QUALITY
9 BOARD OF MEDICAL QUALITY ASSURANCE
10 DEPARTMENT OF CONSUMER AFFAIRS
11 STATE OF CALIFORNIA
12

13 In the Matter of the Accusation)
14 Against:)

NO. D-1881

15 ANTHONY J. RIPPO, M.D.)
16 3340 Kemper Street)
San Diego, California)

DECISION

17 Physician's and Surgeon's)
18 Certificate No. G-13741,)

Respondent.)
19

20 The attached Stipulation for Settlement is hereby
21 adopted by the Division of Medical Quality, Board of Medical
22 Quality Assurance of the State of California as its Decision
23 in the above entitled matter.

24 This Decision shall become effective on the 20th day
25 of FEBRUARY, 1978.

26 IT IS SO ORDERED THIS 20th day of JANUARY, 1978.
27

Eugene C. Feldman, MD
BOARD OF MEDICAL QUALITY ASSURANCE
Department of Consumer Affairs
State of California

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13 In the Matter of the Accusation
14 Against:

15 ANTHONY J. RIPPO, M.D.
16 3340 Kemper Street
San Diego, California

17 Physician's and Surgeon's
Certificate No. G-13741

18 Respondent.
19

NO. D-1881

STIPULATION FOR
SETTLEMENT

20 IT IS HEREBY STIPULATED AND AGREED by and between the
21 parties to the above entitled matter that the following allega-
22 tions are true:

23 1. That Raymond M. Reid, complainant at the time of
24 the filing of the within accusation, and the Executive Officer
25 of the Board of Medical Quality Assurance, and Robert Rowland,
26 currently Executive Director of the Division of Medical Quality,
27 Board of Medical Quality Assurance of the Department of Consumer

1 Affairs of the State of California, are represented herein by
2 Evelle J. Younger, Attorney General of the State of California,
3 by Samuel E. Spital, Deputy Attorney General.

4 2. That Anthony J. Rippo, M.D., is represented by
5 Platt, Tebbetts & Peterson, by Harold F. Tebbetts, Esq. That
6 respondent has retained Harold F. Tebbetts, Esq. as his attorney
7 in regard to the administrative action herein and that the
8 respondent has counseled with Harold F. Tebbetts concerning the
9 effect of this Stipulation, which the respondent herein has
10 carefully read and scrutinized and which he fully understands.

11 3. That the respondent has received and read the
12 Accusation which is presently on file and pending in Case No.
13 D-1881 before the Division of Medical Quality, Board of Medical
14 Quality Assurance of the Department of Consumer Affairs of the
15 State of California.

16 4. That the respondent understands the nature of the
17 charges alleged in the above mentioned Accusation and that said
18 charges and allegations would constitute causes for imposing
19 discipline upon the respondent's physician's and surgeon's
20 certificate heretofore issued by the Board of Medical Quality
21 Assurance.

22 5. That the respondent and his counsel are aware of
23 each of respondent's rights, including the right to a hearing on
24 the charges and allegations; respondent's right to confront and
25 cross-examine witnesses who would testify against him; respond-
26 ent's right to present evidence in his favor or to call witnesses
27 in his behalf, or to so testify himself; respondent's right to

1 contest the charges and allegations and any other rights which
2 may be accorded him pursuant to the California Administrative
3 Procedure Act (Gov. Code § 11500, et seq.); his right to recon-
4 sideration, appeal to superior court and to any other or further
5 appeal; that respondent understands that in signing this Stipu-
6 lation, rather than contesting the Accusation, he is enabling
7 the Division of Medical Quality, Board of Medical Quality
8 Assurance, to revoke his license, which was heretofore issued by
9 the Board of Medical Quality Assurance, upon this Stipulation
10 without further process.

11 6. That respondent freely and voluntarily waives each
12 and every one of the rights set forth hereinabove; that
13 respondent, rather than contesting the charges in the Accusation
14 presently on file at a formal hearing, for the purpose of the
15 instant proceeding before the Division of Medical Quality, Board
16 of Medical Quality Assurance, only, admits and stipulates to
17 the truth and accuracy of each and every one of the allegations
18 and charges enumerated in paragraphs 1 through and including
19 3(v), on pages 1 through and including page 5 of the said
20 Accusation.

21 7. That the Division of Medical Quality, Board of
22 Medical Quality Assurance, has the authority to take disciplinary
23 action against respondent's license pursuant to sections 2360
24 and 2392 of the Business and Professions Code.

25 8. That based upon all of the foregoing admissions,
26 stipulations and recitals it is stipulated and agreed that the
27 Division of Medical Quality, Board of Medical Quality Assurance,

1 may issue a Decision upon this Stipulation whereby:

2 A. Physicians and Surgeons Certificate No.
3 G-13741 heretofore issued to respondent Anthony J.
4 Rippo, is hereby revoked, provided, however, said
5 revocation is stayed for a period of five (5) years
6 on the following conditions:

7 (1) Respondent shall not during the
8 first 90 days immediately following the
9 effective date of the decision of the
10 Division of Medical Quality, Board of
11 Medical Quality Assurance, exercise any
12 of the rights and privileges granted to
13 him by his license to practice medicine and
14 surgery, provided, however, that respon-
15 dent may before the effective date of said
16 decision submit a proposed program to said
17 Division of unpaid community medical service
18 of at least 104 hours per 180 days for two
19 years and after this Division's written
20 approval of such program respondent may re-
21 sume the full practice of medicine, pro-
22 vided further that respondent shall make
23 and keep complete and accurate records of
24 such community service if such be elected.
25 Respondent shall elect either the 90 days
26 actual suspension or community medical
27 service, but not a combination of the two.

1 (2) Respondent shall comply with all
2 laws of the United States, State of Cali-
3 fornia and its political subdivisions and
4 at resumption of practice, the rules and
5 regulations of the Board of Medical Quality
6 Assurance.

7 (3) Respondent shall initiate and file
8 with the Division of Medical Quality at its
9 office in Sacramento, California, at quarterly
10 intervals after the effective date of this
11 order, an affidavit setting forth the respon-
12 dent's then present residence and office
13 addresses, and shall set forth, if such be
14 the case, that respondent has fully and
15 faithfully complied with all of the terms
16 and conditions of probation herein imposed;
17 if respondent has failed to comply with any
18 of the terms and conditions of probation, or
19 has committed any acts in violation of this
20 order, the same shall be fully set forth and
21 explained in said affidavit. Failure to file
22 this affidavit or to include therein the in-
23 formation above specified shall constitute a
24 violation of the terms of probation.

25 (4) Respondent shall within 90 days of
26 the effective date of the decision report in
27 person to the Regional Medical Consultant of

1 the Division of Medical Quality, and there-
2 after at such times and places specified and
3 at least two times each year during said
4 period of probation. It shall be the re-
5 sponsibility of respondent to request of
6 said Division the appropriate times and
7 places.

8 (5) Respondent shall fully and completely
9 comply with the Probation Surveillance Pro-
10 gram and cooperate with any agent of the Board
11 operating thereunder, including the making
12 available for inspection respondent's records
13 of community medical service if such service
14 be elected hereunder.

15 Should the Division of Medical Quality,
16 after notice to respondent and an opportunity
17 to be heard, determine that respondent has
18 during the period of probation violated any
19 term or condition herein imposed, said Division
20 may reimpose the revocation or make such other
21 or further order as it may then deem just and
22 reasonable in the exercise of its discretion.
23 Proceedings to reimpose the revocation or make
24 any other disciplinary order with respect

25 /

26 /

27 /

thereto shall be initiated within the
period of probation or within one year
after the termination thereof; otherwise
the stay shall become permanent.

EVELLE J. YOUNGER, Attorney General
SAMUEL E. SPITAL,
Deputy Attorney General

DATED: 12/5/77

By Samuel E. Spital

SAMUEL E. SPITAL

Deputy Attorney General

Attorneys for Complainant

PLATT, TEBBETTS & PETERSON

DATED: Dec 5, 1977

By H. F. Tebbetts

HAROLD F. TEBBETTS, Esq.

Attorneys for Respondent

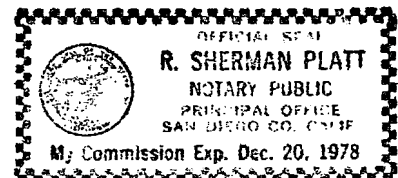
I have read the above document and fully discussed it
with my counsel. I agree to the above Stipulation for
Settlement.

DATED: Dec 2, 77

Anthony J. Rippon
ANTHONY J. RIPPO, M.D.

Subscribed and sworn to before me
this 2nd day of December, 1977.

R. Sherman Platt
Notary Public



COPY

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 2 LYNN HENRY JOHNSON,
 3 Assistant Attorney General
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 5 3580 Wilshire Boulevard
 6 Los Angeles, California 90010
 7 Telephone: (213) 736-2012
 8 Attorneys for Complainant

BEFORE THE DIVISION OF MEDICAL QUALITY

BOARD OF MEDICAL QUALITY ASSURANCE

DEPARTMENT OF CONSUMER AFFAIRS

IN THE MATTER OF THE ACCUSATION
 AGAINST

ANTHONY J. RIPPO, M.D.,
 License #G13741
 Medi-Cal ID #000G13710,
 Respondent.

NO. D-1881

ACCUSATION

COMES NOW RAYMOND M. REID and for cause of disciplinary
 action against the above named respondent alleges as follows:

1. That Raymond M. Reid is the Executive Officer of
 the Board of Medical Quality Assurance of the State of California,
 hereinafter sometimes called "the Board"; and that Raymond M.
 Reid makes the allegations of the within Accusation in his
 official capacity and not otherwise;

2. That respondent Anthony J. Rippo, M.D., holds a
 license to practice medicine in the State of California under the
 authority of the Board; and that at all times mentioned herein
 said license has been, and now is, in full force and effect and
 never has been suspended or revoked;

3. That respondent is subject to disciplinary action
 pursuant to the provisions of Business and Professions Code
 sections 2360 and 2392 for aiding and abetting an unlicensed
 person in the practice of medicine, the circumstances of

1 respondent's offenses being more particularly set forth herein-
2 after.

3 (I) That respondent operated two clinics
4 in a rural area of San Diego County at all
5 times relevant to the within Accusation; that
6 one clinic may be referred to as the Jacumba
7 Clinic; that the other clinic may be referred
8 to as the Campo Clinic; that respondent was
9 routinely present at the Campo Clinic; that
10 respondent operated the Jacumba Clinic through
11 a person who held no license whatsoever, one
12 Gary Spath; that respondent came to the Ja-
13 cumba Clinic only on Wednesdays; that patients
14 coming to the Jacumba Clinic were seen and
15 treated by the unlicensed person as a matter
16 of routine; that many, if not most, of such
17 patients were never seen by respondent; that
18 if the unlicensed person felt that he needed
19 any assistance, he would telephone respondent
20 and relate to him any particular problem the
21 unlicensed person might be experiencing.

22 (II) That Gary Spath does not hold any
23 license, certificate, authority, or permit,
24 whatsoever, to practice medicine, or any other
25 healing art, in the State of California, in
26 any manner, method, mode or means whatsoever.

27 (III) That on December 26, 1975, at the
28 Jacumba Clinic, Spath treated for his ailments
29 patient Raymond R [REDACTED] in an office visit and
30 prescribed medicine for the patient; that
31 Spath again did exactly the same things for

1 the same patient on January 2, 1976; that on
2 January 24, 1976, Spath treated for her ail-
3 ments patient Patricia R [REDACTED] at the Jacumba
4 Clinic in an office visit and prescribed
5 medicine for the patient; that on January 30,
6 1976, Spath treated for her ailments the same
7 patient in a call upon her at her house and
8 supplied medicine to the patient; that on
9 January 12, 1976, Spath treated for her ail-
10 ments patient Kathleen R [REDACTED] at the Jacumba
11 Clinic in an office visit and prescribed med-
12 icine for the patient; that Spath did the
13 same thing for the same patient on January 13,
14 1976; that Spath prescribed medicine for the
15 same patient on January 13, 1976; that Spath
16 treated for her ailments the same patient on
17 January 14, 1976, at the Jacumba Clinic in
18 an office visit; that on December 12, 1975,
19 Spath treated for his ailments patient Olin
20 T [REDACTED] at the Jacumba Clinic; and that on
21 December 21, 1975, prescribed medicine for the
22 same patient; that on December 26, 1975, Spath
23 treated for his ailments the same patient at
24 the Jacumba Clinic in an office visit; that
25 on January 10, 1976, Spath treated for her
26 ailments patient Sandra H [REDACTED] in a call at
27 her house and prescribed medicine for the
28 patient; that on January 11, 1976, Spath
29 treated for her ailments the same patient
30 in a call at her house; that on January 8,
31 1976, Spath treated for her ailments patient

1 Carol L [REDACTED] in a call at her house, and
2 prescribed medicine for the patient; that
3 on January 11, 1976, Spath treated for her
4 ailments the same patient in a call at her
5 house; that on January 13, 1976, Spath
6 treated for her ailments the same patient
7 in a call at her house; that on October 26,
8 1975, Spath treated for his ailments patient
9 Christopher L [REDACTED] at the Jacumba Clinic;
10 that on December 26, 1975, Spath treated for
11 his ailments the same patient at the same clinic
12 and prescribed medicine for the patient; that
13 on December 31, 1975, Spath treated for his
14 ailments the same patient at the Jacumba Clinic
15 in an office visit; that on January 11, 1976,
16 Spath treated for his ailments the same patient
17 in a house call; that on January 13, 1976, Spath
18 treated for her ailments patient Teri H [REDACTED] in
19 a house call; that on January 13, 1976, Spath
20 diagnosed for her ailments the same patient
21 through urinalysis and prescribed medicine for
22 the patient; that on January 16, 1976, Spath
23 treated for her ailments the same patient in
24 a call at her house.


25 (IV) That at all times mentioned herein
26 Spath was an employee of respondent, acting
27 under authority illegally granted to him by
28 respondent, and respondent was well aware of
29 Spath's activities.

30 (V) That in connection with all of the
31 treating and prescribing set forth in paragraphs

1 I and III hereinabove respondent submitted
2 claims to Medi-Cal which indicated that
3 respondent was the one who had done the
4 treating, prescribing, and diagnosing
5 done by Spath, as set forth in paragraphs
6 I and III hereinabove; and that on no
7 occasion listed hereinabove did respondent
8 see any of the patients referred to here-
9 inabove in any way whatsoever.

10 WHEREFORE, complainant prays that the Board take
11 disciplinary action against respondent and that the Board take
12 such other and such further action as is deemed meet in the
13 premises.

14 DATED: This 4TH day of OCTOBER, 1976.

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19 RAYMOND M. REID, Executive Officer
20 Board of Medical Quality Assurance
21 Department of Consumer Affairs
22 State of California

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29 Complainant

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